

¹
[FORMTD-1

(See rules 3 and 4)

LicenceNo.....

Licence for the retail sale of toddy

Licence is hereby granted to Shri/Messrs
 (hereinafter called "the licensee") authorising
 him to sell toddy by retail at his shop situated at.....
more particularly described in the
 Schedule hereto (hereinafter referred to as "the shop or licensed shop") for the period
 commencing on..... and
 ending on 31st August 19 , under and subject to the provisions of the Bombay
 Prohibition Act, 1949 and the rules and orders made thereunder, and the following
 conditions, namely :

Conditions

1. The licensee shall always keep in a prominent place in the shop a clock or time-piece which shall be in good working order, and show the correct Standard Time.

2. The licensee shall, if so ordered by the Collector, provide the shop with sufficient water closet or privy and urinal facilities for the use of customers. All such water closet, privies and urinals shall be of the type approved by the Collector, and shall always be kept in a clean and sanitary conditions.

3. The licensee shall, if so directed by any officer empowered under section 122 of the said Act (hereinafter called the Inspecting Officer), get the shop white washed within two months from the commencement of the licence, and subsequently at such times as the Collector, or the Superintendent or any other officer deputed by him, may consider it necessary on sanitary ground. The licensee shall keep the shop clean to the satisfaction of the aforesaid officers.

4. The licensee shall keep constantly fixed up at the entrance of the shop a signboard of the size ² [of 60 centimeters by 90 centimeters], bearing the following inscriptions in legible characters :

- | | |
|-----------------------------|----|
| (1) Name of licensee | .. |
| (2) Licence No. | .. |
| (3) Location of the shop | .. |
| (4) ³ * * * * | .. |
| (5) Authorised opening hour | .. |
| (6) Authorised closing hour | .. |

5. The licence shall always be displayed, in the licensed shop at a conspicuous place.

6. The licensee shall keep and sell toddy unadulterated and undiluted as drawn from the trees without any admixture of any foreign substance or liquid whatsoever. He shall not keep or sell toddy which is more than ⁴ [24] hours old after it was drawn from toddy producing trees. All the vessels which contain toddy shall be thoroughly washed and cleaned before they are used.

1 Ins. by G. N. of 2-8-1969.

2 Subs. by Corring. of 12-9-1969.

3 Deleted by G. N. of 2-8-1969.

4 Subs. by G. N. of 2-8-1969.

7. (i) The licensee shall carry on the business of the shop and draw toddy from toddy producing trees either personally or by agent/s or servant/s duly authorised by him in this behalf by a written Nokarnama in Form TD-7 signed by himself and countersigned by a Prohibition Officer not lower in rank than a Sub-inspector; provided that, any such Nokarnama signed by the licensee shall be valid until countersignature is refused. If for any reason the Superintendent orders the withdrawal of any Nokarnama issued by him, the licensee shall pay in advance into the Treasury a fee of rupee one. No Nokarnama shall be issued to any person under 21 years of age, and no such Nokarnama, if issued, shall be valid. The licensee shall be responsible for breach of any of the conditions of this licence or that of the rules committed by his agent person in his employ.

(ii) The licensee shall maintain at his licensed shop a Register in Form TD-8 of all his Agents or servants duly authorised by him.

(iii) The licensee shall instruct all his agents and servants to keep the Nokarnama with them, and that they are bound to observe the rules. Such Nokarnama shall be produced before an inspecting Officer whenever demanded by him.

8. The licensee shall not sell toddy except for consumption by a purchaser on the premises of the licensed shop. He shall not sell or serve toddy to any person outside that shop, nor shall he allow any person to remove any toddy from the licensed shop :

¹ [Provided that, the licensee may sell toddy for consumption by a purchaser at any place other than the licensed premises (such place not being a public place) in such quantities at a time as does not exceed the quantity of toddy which the State Government may direct that any person may possess and transport without any permit, pass, or authorisation.]

² [Provided that, unsold toddy may be sold to the holder of a licence in Form I appended to the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966, for distillation of spirit and such toddy is transported under cover of a pass in Form TD-3B.]

9. No disorderly person shall be harboured, and no drunkenness, or gambling shall be allowed in the licensed shop. No person below 21 years of age, and no insane or intoxicated person shall be permitted to enter upon or remain in the shop.

10. The licensee shall give immediate information to the nearest Police Officer of any person suspected to be a bad character who may come to the shop, and of every irregularity committed tending to disturb the public peace.

11. The licensee shall close the shop -

(a) on such days or times as may be specially ordered by the Collector;

¹ [(a-1) on 2nd October every year and on such other days as may be specified by the State Government under rules 5A] ;

(b) of his own accord during any riot or disturbance in the neighbourhood of the shop.

No Compensation shall be claimed by the licensee on account of the closure of the shop on such occasions.

1 Ins. by G. N. of 2-8-1969.

2 Added by G. N. of 22-1-1974.

12. The shop and the stock of toddy therein shall at all times be open to inspection by officers duly empowered under section 122 of the Bombay Prohibition Act, 1949.

13. The licensee shall, when called upon by any Prohibition Officer not below the rank of Sub-Inspector, give an explanation in writing regarding any branch of the rules or any irregularity detected and committed by him or his agents or servants, and furnish any information regarding the management of the shop, and shall answer all reasonable questions to the best of his knowledge and belief. He shall also on demand allow a Prohibition Officer to take samples of toddy for analysis free of charge.

14. The licensee shall use for the storage of toddy in the shop, casks or vessels of such kind and capacity as may be approved by the Superintendent. The storage capacity of each such cask or vessel shall be painted thereon. ¹ [He shall also maintain at the shop a gauge –rod for each receptacle used for storing toddy.]

15. the licensee shall abide by the conditions of this licence and the provisions of the Bombay Prohibition Act, 1949, the rules, regulations and orders made thereunder.

16. The Collector may permit the legal heirs of the licensee in case of his death, to have the benefit of the licence for the unexpired portion of the term for which it was granted, and amend the licence accordingly. However, in case of refusal of the legal heirs to conduct the licence, the shop shall be re-auctioned, in accordance with the provisions of the Maharashtra Toddy Shops ² [(Grant of Licences by Auction or Tender)] Order, 1968.

17. This licence is liable to be suspended or cancelled in accordance with the provisions of section 54 or 56 of the Bombay Prohibition Act, 1949.

Granted this day of 19 .

Seal of the Collector

Collector,District.

Schedule

- 1. Description of site, such as House No. and the locality.
- 2. Boundaries of the shop .. North East South West

Seal of the Collector.

Collector,District.]

1 Ins. by G. N. of 2-8-1969. 2 Subs. by G. N. of 8-7-1971.